7. HOW DO I COMPLY WITH SPILL AND CHEMICAL RELEASE REQUIREMENTS

If you manage PCBs or equipment containing PCBs, or hazardous substances and/or wastes at your cooperative, the possibility exists that even if you practice the best management techniques you may have a spill or release. In addition, there are emergency preparedness, emergency notification and recordkeeping requirements in various regulations that you must comply with if you manage these types of materials. This chapter provides you with the Federal regulatory requirements for emergency preparedness and responding to a release, including the notification and recordkeeping requirements. Other notifications and recordkeeping requirements for managing hazardous wastes and substances are provided in Chapter 3 (wastes) and Chapter 6 (substances).

USEFUL TIP

Your state and municipality may have requirements in addition to the Federal requirements that you must comply with. You should check with your state or municipal environmental agencies to determine these requirements.

7.1 WHAT DO I DO IF THERE IS A SPILL OR RELEASE?

Regulations governing responses to spills or releases.

The Emergency Planning and Community Right to Know Act (EPCRA) is the major regulation governing responses to spills or chemical releases. EPCRA emergency response and follow up requirements can be found at 40 CFR 302 and 40 CFR 355. Both the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) and the Resource Conservation and Recovery Act (RCRA) also have emergency response requirements. EPCRA and CERCLA emergency response requirements are presented in the following sections. Some RCRA requirements are the same as EPCRA requirements, and are covered below. The remaining RCRA requirements are discussed in Section 7.2.

USEFUL TIP

If you have not already done so, your cooperative should designate an emergency coordinator to manage your cooperative emergency response actions in case of a spill or chemical release. If you are a small quantity generator (see Chapter 3), you are required under RCRA to designate an emergency coordinator. The emergency coordinator should become familiar with the EPCRA emergency response requirements.

7.1.1 Immediate Actions

If a spill or accident (e.g., fire, explosion, tank rupture, etc,) resulting in a spill or release occurs at your cooperative, in addition to responding to the spill or accident, you or your

staff may be required, under EPCRA (Section 304, at 40 CFR 302), to take swift action by providing immediate notification to emergency response agencies. You must immediately notify emergency response agencies if either:

When to notify

- The substance spilled is an "Extremely Hazardous Substance" and the amount equals or exceeds the specified Reportable Quantity listed in Appendices A and B of 40 CFR 355 (see Chapter 6). You cooperative should be aware of whether any substances it stores or uses is extremely hazardous.

- The substance spilled is a "Hazardous Substance" listed in EPCRA Table 302.4 (found at 40 CFR 302.4) and the amount equals or exceeds the specified Reportable Quantities in that table. These are substances for which notification under CERCLA 102 and 103(a) also are required (see Chapter 6 for reporting requirements).

- The spill has entered the surface or groundwater (this will include storm sewers and drains that discharge to water.

If any of these criteria apply to your spill or release (or you think they apply), you must make the following notifications:

Who to Notify

- Local Emergency Planning Committee (LEPC).
- State Emergency Planning Commission (SERC).
- National Response Center (NRC).

Figure 7-1 is a form that you can complete with the appropriate emergency notification numbers, and place near telephones in your cooperative. Figure 7-2 is a form that you can complete and place in areas where hazardous materials (wastes and products) are stored or managed.

USEFUL TIP – SPILLS DURING OR ASSOCIATED WITH TRANSPORTATION

If a spill occurs with respect to transportation or storage incident to transportation, it is acceptable to notify the authorities by dialing 911, or calling the operator in the absence of an emergency telephone number.

IN THE EVENT OF A SPILL,

☎IMMEDIATELY NOTIFY☎

National Emergency Response Center:

1-800-424-8802

State Emergency Response Commission:

Fill in

Local Emergency Planning Committee:

Fill In

IF SPILL OCCURS DURING TRANSPORTATION - DIAL 911 OR OPERATOR IF 911 NOT AVAILABLE

Figure 7-1. Emergency Response Notification Information

EMERGENCY RESPONSE INFORMATION

Emergency Coordinator
Name: _____

Telephone: _____

Fire Extinguisher
Location(s): _____

Spill Control Materials
Location(s): _____

Fire Alarm (if present)
Location(s): _____

Fire Department
Telephone: _____

National Response Center
Telephone: _____

Figure 7-2. Emergency Response Information Form

When you do not have to notify.

Notification is **not** required for the following circumstances:

- Federally permitted discharges under CERCLA 101(10),
- Releases which would result in exposure only to persons at your cooperative but have not resulted in a release to the surface water or groundwater,
- Releases from a facility that produces, uses, or stores no hazardous materials,
- Releases of a pesticide applied in accordance with Federal Insecticide, Fungicide, and Rodenticide Act registration and labeling requirements (see Chapter 11),
- Continuous releases as defined under Sections 103(f) of CERCLA. However, it is recommended that you make a notification if there is any doubt of applicability because serious fines could result if you are supposed to notify and you do not.

The function of the emergency agencies listed above will be to coordinate response activity to your spill or accident, and prevent harmful effects to the public and community at large. These agencies also may provide instructions to you regarding appropriate response procedures.

Report as soon as you can.

It is important to report any reportable spill as soon as practical. In making the notifications, the person making the report (see box) should spend a few moments to gather information to provide in the initial notification. To the extent possible, the following information should be provided:

Information to Provide

- Facility Name, and EPA Identification Number, if applicable.
- Date and time of accident.
- Type of accident (e.g., spill, fire, explosion, etc.)
- Chemical Name/Identity of material(s) released.
- Location of the chemical.
- Whether the material(s) is extremely hazardous (listed in 40 CFR 355 appendix A and B) or a hazardous substance (listed in 40 CFR 302.4).
- Estimate of the quantity of any material that was released
- Time and duration of the release

- Whether the release was to the air, water, and/or land
- Any known or anticipated acute or chronic health risks associated with the emergency
- Advice regarding medical attention necessary for exposed individuals
- Proper precautions to take as a result of the release, including evacuation
- Name and telephone number of the person(s) to be contacted for further information

According to EPCRA, the initial notification is required "immediately" upon discovering a spill. The term "immediately" is not further defined. Thus the person making the report must use good judgement in determining how much time to spend in collecting information prior to making the notification.

7.1.2 Follow-up Actions for a Spill or Release

Follow-up Notification

After the initial communication is established with the appropriate agencies, your cooperative's designated emergency coordinator will be the primary contact and person in charge of containment and cleanup procedures. Following the initial notification, the emergency coordinator must provide written follow-up emergency notice or notices, as more information becomes available. Follow-up notification(s) should be provided as soon as practicable, usually within 24 hours. The written notice(s) must update information provided in the initial notification and must also describe:

What to include in notification.

- Actions taken to respond to and contain the release
- Any known or anticipated acute or chronic health risks associated with the release
- Where appropriate, advice regarding medical attention necessary for exposed individuals.

Your State also may have requirements for notifications, and emergency response actions (see box).

USEFUL TIP

To identify the appropriate State agencies, call the EPCRA Hotline at 1-800-424-9346 or 703-412-9810.

7.2 OTHER NOTIFICATION/RESPONSE AND REPORTING REQUIREMENTS

Other regulations also have require-ments.

EPCRA is the primary legislation that governs spill response, notification, and emergency preparedness activities at your cooperative. However, several other environmental regulations also contain similar requirements that may apply to your facility. Table 7-1 lists these other regulations The most relevant regulations to rural electric cooperatives are discussed in more detail in this section.

USEFUL TIP – PREPARING FOR AND EMERGENCY SPILL/RELEASE

The most important steps that you can take now to prepare for an emergency spill or release is to plan and train ahead of time. Read this section, become knowledgeable in the notification, response, and reporting requirements and make sure that your staff knows what to do in the event of an emergency. Assess whether you have the capability to appropriately respond and clean up a spill and if you don't, then consider retaining a spill response specialist.

Table 7-1. Major Federal Regulations that Address Notifications, Spill Response, and Emergency Preparedness

Subject	Law	Reference to Regulation
Federal Response to Oil Spills, Liability, Notification, SPCC Plans, Reportable Quantities	Clean Water Act amended by Oil Pollution Act	40 CFR 110 through 117
Risk Management Plans	Clean Air Act 112(r)	40 CFR 68
List of Hazardous Substances/Notification	CERCLA 102, 103/SARA 313	U.S.C. §125, 40 CFR 302.4 and 372.6
Hazardous Waste List, Labeling/Marking, Disposal and Storage of Spill Cleanup Materials	RCRA Part 261, 262, 264, and 265	40 CFR 261, 262, 264, and 265
PCB Spill Cleanup	Toxic Substances Control Act	40 CFR 761.120, et seq.
Notification of discharge of hazardous waste to POTW	CWA/RCRA	40 CFR 401.12(p)
Spill Notification, Emergency Planning and Preparedness	EPCRA	40 CFR 355 and 302

7.2.1 EPCRA Notification and Emergency Preparedness Requirements

As mentioned in Section 7.1, when a spill is discovered, EPCRA requires immediate and follow-up notification. In addition to notification requirements, EPCRA addresses protection of the community through establishment of agencies (the LEPC and SERC) to coordinate spill response in the event of an emergency (see Section 7.1). To provide these agencies with information necessary to carry out their function, Sections 311-312 of EPCRA require information on chemicals be submitted to LEPCs, SERCs, and the fire department. Compliance with EPCRA Sections 311-312 is discussed in Chapter 6.

7.2.2 RCRA Requirements

RCRA has both emergency preparedness requirements and emergency response requirements. The emergency preparedness requirements mandate that facilities plan their response to spills or releases of hazardous wastes. The emergency requirements are procedures facilities must follow in the event of a spill or release. Note that RCRA Subtitle I contains emergency response requirements for leaking underground storage tanks (USTs). Emergency preparedness requirements are detailed in Chapter 3 (Section 3.3.4), and emergency response requirements are discussed below.

RCRA waste generators have emergency preparedness requirements to comply with.

The RCRA emergency preparedness requirements apply to cooperatives that are classified as large or small quantity hazardous waste generators. Conditionally exempt small quantity generators (CESQGs) are exempt from these requirements (see Chapter 3, Section 3.2.1 for information on determining generator status). However, it is recommended that CESQGs also comply with the RCRA emergency preparedness requirements.

RCRA Emergency Response Requirements

In the event of a hazardous waste release, RCRA emergency response requirements contain the following procedures for responding to a spill or release of hazardous waste(s):

Hazardous waste release require-ments.

- Contain the flow of hazardous waste to the extent possible, and as soon as is possible, clean up the hazardous waste and

USEFUL TIP

Under RCRA, materials used in cleanup operations following a hazardous material or oil spill are considered hazardous wastes or PCB wastes if the spill contained PCBs. These cleanup materials are considered part of your total monthly accumulation and may affect your generator status (see Chapter 3, Section 3.2.1 for information on determining generator status).

any contaminated materials or soil.

- In the event of a fire, call the fire department and, if safe, attempt to extinguish the fire using a fire extinguisher. After the fire is out, contain the release as described above.
- In the event of a fire, explosion, or other release that could threaten human health outside the facility, or if you know that the spill has reached surface water, follow the instructions provided in Section 7.1.

RCRA UST Emergency Response Requirements

UST releases: when to notify.

RCRA also includes emergency response requirements for leaking USTs (in 40 CFR 280.53). These requirements include notification, response, and cleanup procedures.

Initial Notification Requirements

If your cooperative has USTs that contain hazardous substances or hazardous wastes, and you identify any of the following conditions associated with your UST(s), you must make a report:

- Unusual operating conditions exist (e.g., erratic behavior of product dispensing equipment, sudden loss of product from the UST system, or an unexplained presence of water in the tank) unless due to defective but not leaking equipment;
- Monitoring results (see Chapter 5) indicate that a release has occurred; or
- Regulated substances are observed or discovered at the UST site (e.g. free vapors in the soils, basements, sewer and utility lines, and/or a sheen on nearby surface waters).

UST releases: who to notify.

Your report must be made within 24 hours to the State UST permitting agency or the EPA Region, whichever currently administers the UST program for your facility (see Chapter 5 for more details).

In addition to the notification requirements, RCRA (40 CFR 280) requires that you immediately contain and clean up a release from an UST that contains:

- Petroleum, where the spill exceeds 25 gallons or causes a sheen on a nearby surface water, or is less than 25 gallons but cannot be cleaned up within 24 hours.
- A CERCLA hazardous substance (listed at 40 CFR 302.4) above the reportable quantity, or below the reportable quantity but cannot be cleaned up within 24 hours.

Following notification, response actions required for leaking USTs include taking immediate action to prevent any further release of the regulated substance into the environment; and identifying and mitigating fire, explosion, and vapor hazards. Within 20 days the owner/operator must submit a report summarizing initial abatement measures including:

Reporting: UST abatement.

- Removal of the regulated substance from the UST;
- Inspection of aboveground or exposed below ground releases and preventing migration of the substance into surrounding soils and ground water;
- Continued monitoring and mitigating safety hazards;
- Remedying hazards posed by contaminated soils that have been excavated or exposed; measuring for the presence of a release where contamination is most likely to exist.

Several follow-up procedures (initial site characterization, free product removal, and investigations for soil and groundwater cleanup, and corrective action plan) are also required. These are discussed in Chapter 5, and can be found in 40 CFR 280.63 through 280.66, respectively.

Notifying: State require-ments.

Many States have UST permitting programs which have notification requirements. You should contact the appropriate implementing agency (State or EPA region) for your cooperative for additional requirements that may apply. Chapter 5 provides a list of State implementing agencies for USTs.

7.2.3 Clean Water Act/Oil Pollution Act Requirements

Oil Spills: When to notify

The Clean Water Act (CWA) contains notification requirements that apply to spills of oil and hazardous substances. In the case of a spill of **oil,** either at your facility or from facility equipment, that enters a “water of the

U.S.," you are required to notify the National Response Center (see Section 7.1) as soon as you have knowledge of the following conditions:

- The discharge may cause a violation of a water quality standard;
- The discharge causes a film, sheen, or discoloration of the surface of the water, or a sludge or emulsion beneath the surface or upon an adjoining shoreline.

Hazardous substance spill: When to notify

In the case of a spill of a hazardous substance released over a 24 hour period at your facility or from facility equipment, and the released material enters a "water of the U.S." in a quantity equal to or exceeding the reportable quantity in CERCLA Section 102 (in 40 CFR 302.4), you must notify the National Response Center (40 CFR 117.21). Note that "waters of the U.S." is a wide-encompassing definition which includes wetlands. Also note that if a spill enters a separate storm sewer that discharges to a surface water, it is subject to notification requirements. If the spilled material enters a sewer that discharges to a Publicly Owned Treatment Works (POTW), and it is not from a mobile source (e.g., a truck) it is not subject to these CWA notification requirements; however, you must immediately notify the POTW.

Spill Prevention, Control, and Countermeasures Provisions

When to prepare an SPCC plan.

The Clean Water Act also contains Spill Prevention, Control, and Countermeasures (SPCC) provisions that may be applicable to your cooperative if you store oil onsite. Although there are certain exceptions contained in 40 CFR 112, the criteria for when an SPCC plan is required are as follows:

- You have more than 660 gallons of oil in a single above ground tank
- You have more than 1,320 gallons in a number of above ground tanks
- You have more than 42,000 gallons in underground tanks.

The purpose of the SPCC requirement is to ensure that adequate measures are taken to prevent releases of oil or hazardous substances.

RESOURCE

U.S. EPA Region 7 has developed a manual on preparing SPCC plans. See Section 7.4 for the reference.

Guidelines for information to be addressed in SPCC plans is specified in 40 CFR 112.7. Because SPCC plans include numerous, facility specific details, one should consult 40 CFR 112.7(e) for more information. In general, the plan should:

SPCC Plan Requirements.

- Address corrective actions for previous spills. If there is reasonable potential for spills, include a prediction of the direction, rate, flow, and quantity of oil or hazardous substance which would result from a spill.

- Address provisions for secondary containment and/or diversionary structures or equipment (e.g., dikes, weirs, curbing) that prevent oil from reaching navigable waters.

- If applicable, include a demonstration of why installation of equipment (as described above) is impractical. Impracticability pertains primarily to those cases where severe space limitation or other physical constraints may preclude installation of structures or equipment to prevent oil from reaching navigable water.

- Include a discussion of how your cooperative is in compliance with any applicable state regulations regarding spill control measures and specific techniques listed in 40 CFR 112.7(e).

Your SPCC plan must be reviewed once every three years. The plan must be modified within six months if a "significant change" occurs at your cooperative. Review and appropriate modification is also required if new field-proven technology has been developed that will significantly reduce the likelihood of a spill at your cooperative. The plan must be reviewed and approved by a registered Professional Engineer. You should consult 40 CFR 112 for more detail on the SPCC plan requirements.

Oil Pollution Act Requirements

OPA Facility Response Plans

The Oil Pollution Act (OPA) amends the CWA to include requirements for facility response plans. Facility response plans are required for all facilities that could cause "substantial harm" to the environment. The determination as to whether a facility could cause substantial harm to the environment may be made through two methods:

- Through a self-selection process (EPA has established criteria located in 40 CFR 112, Appendix C, to assist facilities in making the determination).

- By a determination of the EPA Regional Administrator.

Factors EPA uses in selecting substantial harm facilities.

In determining whether a facility qualifies as a "substantial harm facility," EPA considers factors similar to the self selection factors, and also considers the type of transfer operations at a facility, the facility's oil storage capacity, lack of secondary containment, proximity to environmentally sensitive areas, or drinking-water intakes, and/or the facility's spill history. These factors and how they are applied are spelled out in a flow chart located in Appendix C of 40 CFR 112 ("Flow Chart of Criteria for Substantial Harm").

The EPA Regional Administrator will notify the facility if EPA determines that the facility poses a threat of "substantial harm." The facility response plans should be submitted to the EPA Regional Administrator. Upon request, a copy of the facility response plan should also be provided to the LEPC.

The time-frame in which the response plan must be submitted will vary depending on your status of operation and whether you have made a self determination or EPA has made the determination. The following provide the time-frame for submittal or Facility Response Plans:

Facility response plan preparation time frame.

- If EPA notifies your cooperative that you are required to submit a facility response plan, you have **six months** to prepare and submit it.

- If your cooperative is newly constructed, you are required to submit the facility response plan **prior to the start of operations** and then **after** 60 days, make adjustments to reflect changes that occur during the startup phase.

- If your cooperative undergoes a planned change in design, construction, operation, or maintenance that places it in the designation of a "substantial harm facility," then you must submit the facility response plan **prior to the start of operations** of the portion of your cooperative undergoing the changes.

- If your cooperative falls under the "substantial harm facility" designation because of an unplanned event or change in characteristics, then you have **within six months of the unplanned event** to submit your facility response plan.

Contents of facility response plans.

The contents of the plan should follow the format of the "model facility specific response plan" included in 40 CFR 112.20 Appendix F. In addition, you must coordinate your plan with the LEPC. If you have prepared an equivalent response plan to meet other State or Federal requirements then you must ensure that it contains equivalent elements of the facility response plans. In addition, you must provide a cross-reference section demonstrating such equivalency. All facility response plans must be consistent with the National Oil and Hazardous Substances Contingency Plan and the Area Contingency Plan covering your location. For more information on facility response plans, see 40 CFR 112.7(h) or contact your SERC.

Spills to POTWs or Septic Systems

Spills to POTWs

If a hazardous waste is spilled from your cooperative into wastewater (or a sewer system) that discharges to a POTW, you are subject to both RCRA (if a hazardous waste is spilled) and CWA Pretreatment regulations and must make the following notifications:

- The POTW
- The EPA Regional Waste Management Division Director
- Your State hazardous waste authority

The hazardous waste sewer discharge notification must be in writing, and must include:

- The name of the hazardous waste
- The EPA hazardous waste number (from the RCRA lists (see Chapter 3))
- The type of discharge (e.g., "batch" for a single event spill, such as a drum or container; or "continuous" for a large spill that has not stopped).

If more than 220 lb (100 kg, or approximately 25 gallons) of hazardous waste is discharged to the POTW, then you must also include the following in the notification:

- The hazardous constituents in the waste.
- An estimate of how much (mass and concentration) hazardous waste was discharged to the POTW during the month.
- An estimate of how much hazardous waste you will discharge in the next 12 months.

Septic System Discharges

If the discharge is to a septic system, you must immediately notify the EPA Regional Underground Injection Well Program and the State Underground Injection Program.

7.2.4 TSCA PCB Spill Requirements

The Toxic Substances Control Act (TSCA) regulations contain specific procedures for cleaning up spills of polychlorinated biphenyls (PCBs). The procedures are applicable to all spills of PCBs at concentrations of 50 ppm or greater. In addition to the notification criteria and procedures listed in Section 7.1, you must notify the Pesticides and Toxic Substances Branch of your Regional EPA Office of Prevention, if the following conditions exist:

PCB spills: notification.

- The spill is to surface water, sewers, or drinking water supplies.
- The spill directly contaminates grazing lands or vegetable gardens.
- The spill exceeds 10 lb. of PCBs by weight (CWA requires reporting a spill of PCBs of 1 lb. or more to the National Response Center.

If a spill contains PCBs but the above criteria are not met, you still must follow the EPCRA notification requirements in Section 7.1, and TSCA cleanup procedures discussed below. However, EPA TSCA notification is not required.

Upon contacting the EPA, you will receive guidance for appropriate cleanup measures and should begin cleanup as soon as possible, but no

later than 24 hours after discovery. The cleanup procedures for PCB spills are contained in 40 CFR 761 and are summarized below .

PCB spills: cleanup requirements.

The general requirements are to: restrict access to the site, assess the amount of PCBs spilled, clean solid surfaces (typically by swabbing with solvents), remove earthen material (e.g., topsoil, gravel, oyster shells), and replace with clean material. Following cleanup, perform a PCB wipe test on non-porous surfaces (e.g., sealed concrete) and sample porous surfaces (e.g., soil). The wipe test is a standardized test method for non-porous surfaces to determine the residual PCB concentration following cleanup. The level of cleanup required will depend on the nature of the spill (i.e., the quantity and concentration of PCBs), the material onto which it is spilled, and the location and accessibility. Cleanup procedures and post-cleanup sampling methods are described in more detail in 40 CFR 761.125 (b) and (c) and 761.130 and also in "Pocket Field Manual for EPA PCB Spill Cleanup," available from your EPA Region.

PCB spills: documentation.

You must document all spills and maintain records on cleanup, sampling procedures, and analytical results for the samples. Information on these requirements may be obtained from the EPA Region or may be found in 40 CFR 761.130 and 40 CFR 761.125(c)(5), respectively. In addition, special regulations for the disposal of wastes containing PCBs under TSCA may be found in 40 CFR 761.

TSCA Cleanup Requirements for Spills of Less Than One Pound of PCBs or 270 Gallons of Untested Mineral Oil

If the spill involves 1 pound or more of PCBs, or greater than 270 gallons of untested mineral oil , then cleanup procedures are as follows:

- Cordon off the visible spill area plus a 3-foot buffer. Place signs advising personnel to avoid the area. This will minimize the spread of contamination as well as the potential for human exposure.

- If there are no visible traces, estimate the spill area based on the amount of material missing from the equipment or container and immediately cordon off the area of suspected contamination. Record the fact that there are no visible traces and notify the EPA for guidance on statistical sampling to establish spill boundaries.

- Initiate cleanup on hard surfaces and removal of soil and other media (sand, gravel, oyster shells, etc.).

- Perform actions 1 to 4 within 24 hours (within 48 hours for transformers). Complete cleanup as soon as possible.

PCB Spill Cleanup in a Restricted Area

The following are cleanup procedures for PCB spills in a restricted area:

- Clean high-contact solid surfaces (defined in 40 CFR 761.163) to 10 µg/100 cm^2, as measured using a standard wipe test.

- Clean low-contact, indoor, impervious solid surfaces to 10 µg/100 cm^2 Non-impervious surfaces may be cleaned to 100 µg/100 . provided they are encapsulated and the EPA Regional Administrator approves.

- Clean Low contact, outdoor surfaces (impervious or nonimpervious) to 100 µg/100 cm^2.

- Clean contaminated soil to 25 ppm PCBs by weight.

PCB Spill Cleanup at an Outdoor Substation

If the spill occurs in an outdoor electrical substation, then you must perform the following cleanup procedures:

- Clean solid surface to a PCB concentration of 100 µg/100 cm^2, as measured using standard wipe tests.

- Clean soil to one of the following specifications:

  - ✔ 25 ppm PCBs by weight; or

  - ✔ 50 ppm PCBs by weight and place a highly visible label or notice in the area.

  - ✔ If cleanup to 25 or 50 ppm will jeopardize the integrity of the electrical equipment, the EPA regional office may establish an

alternative cleanup method or level and establish a cleanup schedule.

PCB Spill Cleanup in a Nonrestricted Area

- Dispose of easily replaceable household items.
- Clean indoor solid surfaces and high-contact outdoor solid surfaces to 10 µg/100 square cm, as measured by standard wipe tests.
- Decontaminate indoor vault areas and low-contact, outdoor, nonimpervious solid surfaces to 10 µg/100 square cm or to 100 µg/100 cm^2 and encapsulate (subject to the discretion of EPA Regional Administrator).
- Clean soil to 10 ppm PCBs by weight, provided that the soil is excavated to a minimum depth of 10 inches. Replace excavated soil with clean soil, and replace the turf.

7.2.5 CAA Requirements

Accidental releases to air.

The Clean Air Act (CAA) Amendments include regulations concerning accidental releases of hazardous substances to the air. EPA has established a list of 100 extremely hazardous air pollutants that fall under these CAA regulations (the regulations are discussed in Chapter 10). These substances were published in the Federal Register on January 31, 1994 and finalized on April 15, 1996. If your facility possesses one or more of these extremely hazardous air pollutants above a threshold quantity, you were required to have developed a Risk Management Plan (RMP) by 1996. An example of a substance on the list is chlorine, which has a threshold quantity of 2,500 lbs.

Your risk management plan must include the following:

Contents of an RMP

- Documentation of process safety information
- Process hazard analysis of the off-site impact of an accident;
- Documentation of operating procedures;
- Training program;

- Pre-startup reviews;
- Maintenance program;
- Management of Change Program;
- Accident investigation;
- Emergency response program;
- Safety audits;
- Submittal of RMP to EPA, State and local emergency planning committees; and available for public review;
- Registration with the Chemical Safety and Hazard Investigation Board; and
- A hazard assessment of a worst-case scenario.

An RMP is similar to the OSHA standard 1910.119 - the chemical process safety management program for highly hazardous chemicals - that became effective in May 1992. The difference in the programs is the focus. The OSHA regulation is concerned with worker safety, while the CAA regulation is concerned with the safety of the environment and community. In combination with the EPCRA Toxics Release Inventory (TRI) information provided on EPCRA Form R (See Chapter 6), both programs provide the community with knowledge of chemicals present at your facility.

7.3 SUMMARY OF REPORTS AND RECORDKEEPING REQUIREMENTS

Each of the Acts and regulations discussed previously have some recordkeeping requirements associated with written follow-up notification, reports of spills, emergency preparedness, or cleanup. To simplify the recordkeeping requirements, Table 7-2 lists the forms, reports, and records required under each Act. These requirements are in addition to emergency notifications.

Table 7-2. Summary of Recordkeeping Requirements

Act	Recordkeeping Requirements	Reference to Information/Form
CAA	Risk Management Plan	See CAA Sec. 112(r)
EPCRA	Written Follow-up emergency notice(s) after a spill	40 CFR 355.4
RCRA	UST Release Detection Recordkeeping	40 CFR 280.45
OPA	Facility Response Plans	40 CFR 112.20
CWA	SPCC Plan	40 CFR 112
TSCA	Records of spills, cleanup actions, sampling results, and Certification of Decontamination	40 CFR 761.125(b)(3), (c)(5)

7.4 RESOURCES

Your State SERC and RCRA permitting agency should be the primary resources for questions regarding emergency spill response and preparedness. The EPA EPCRA hotline can answer many questions on the Federal Regulations and can refer you to the appropriate state agency for State concerns. The following EPA Hotlines are available during EST business hours to answer questions.

- U.S. EPA RCRA, Superfund, & EPCRA Hotline: 1-800-424-9346 or (703) 412-9810
- U.S. EPA TSCA Hotline, (202) 554-1404
- U.S. EPA Oil Spill Program Information Line, 1-800-424-9346
- U.S. EPA Air Risk Information Support Center, (919) 541-0888

In addition, the following Web sites may provide useful information.

Name	Address	Information
Internet Law Library: Code of Federal Regulations	law.house.gov/cfr.html	CFR Regulations
Questions and Answers Part II for...EPCRA Sections 301-312	http://es.inel.gov/program/exec/qa-tri2.html	EPCRA reporting requirements
EPA Home Page	http://www.epa.gov/epahome/	Starting point for a wide range of information on Environmental Regulations.
National Environmental Compliance Assistance Center	www.hazmat.frcc.cccoes.edu	Compliance